

1 PATRICK L. FORTE, #80050  
2 ANNE Y. SHIAU, #273709  
3 LAW OFFICES OF PATRICK L. FORTE  
One Kaiser Plaza, #480  
Oakland, CA 94612  
Telephone: (510) 465-3328  
Facsimile: (510) 763-8354

5 Attorneys for Debtors

6

7

8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 **In re:** **Case No. 10-43329 RLE**

11 **CHARLES GEORGE DAGGS and**  
**JAMILA LASHON DAGGS,**  
12 **Debtors.**

**Chapter 13**

**MOTION TO MODIFY CHAPTER 13 PLAN;  
NOTICE TO CREDITORS OF  
DEADLINE TO REQUEST A HEARING**

14 The above-named debtors apply to the court for an order to modify  
15 their Chapter 13 Plan as follows:

16 Debtors will include their 2010 IRS taxes in the amount of \$3,960.32  
17 to their Chapter 13 Plan. Commencing August 2011, debtors will pay  
18 \$590.00 per month to the Trustee. Any plan arrearages shall be forgiven.  
19 Unsecured, non-priority creditors shall be paid on a pro-tanto basis.

20 The modification is sought on the following grounds:

21 Debtors are unable to pay their 2010 taxes in addition to their Chapter  
22 13 Plan payment.

23 **NOTICE IS HEREBY GIVEN:**

24 (i) That Local Rule 9014-1 of the United States Bankruptcy Court  
25 for the Northern District of California prescribes the procedures to be  
26 followed and that any objection to the requested relief, or a request for

1 hearing on the matter must be filed and served upon the undersigned  
2 within twenty one (21) days of mailing of this notice;

3 (ii) That a request for hearing or objection must be accompanied  
4 by any declarations or memoranda of law the party objecting or requesting  
5 wishes to present in support of its position;

6 (iii) That if there is not a timely objection to the requested  
7 relief or a request for hearing, the Court may enter an order granting  
8 the relief by default; and

9 (iv) That the undersigned will give at least seven (7) days written  
10 notice of hearing to the objecting or requesting party, and to any  
11 trustee or committee appointed in the case, in the event an objection or  
12 request for hearing is timely made.

13 Dated: August 29, 2011

14 /s/ Anne Y. Shiao  
15 Anne Y. Shiao  
16 Attorney for Debtors

17  
18  
19  
20  
21  
22  
23  
24  
25  
26